~~Preserve~~

App. F IX-4

Previous References

1936
(Genl)

File No. 63 36

Serial Nos. 13, 18, 19
106, & 107

Letter References

39/38

GENERAL AND REVENUE SECRETARIAT.

Serial No. 5

Part B for Dec 38

SUBJECT

Draft Bye-laws for regulating the use of Parks, Gardens or Squares in the Bangalore City vested in the Municipality

---

SL 107) Ref 4872-4 dated 14-12-38

To the Munl. Commr. B'lore, D.C. Bangalore, Health G. G.

WD 0896—GPB—22,500—18-8-37

Approved

[illegible] the use of Municipal parks and gardens in Bangalore city

1634/2

General and Revenue Secretariat

Me File No 63 of 1936 [App F III—2

Serial No	
13	Letter No G-831/36-37 dated 5-10-36 from the Municipal Commissioner, Bangalore city forwarding for sanction draft by laws framed under Section 51(1)(y) of the Mysore city Municipalities Regulation for regulating the use of parks, gardens or squares in the Bangalore city vested in the Municipal council

1 The by laws have been framed on the lines of those obtaining in the Madras corporation

Y x

2 The following points are submitted for consideration

(1) 1) There is no ~~[illegible]~~ provision in the by-laws sent for prohibiting the bathing or washing of clothes etc in any tank or pond or other ornamental water-storage in parks or gardens (Vide by law No 11 in Madras)

(2) 2) In By-law No 26 regarding penalties, the fine for the first offence is Rs 20 and for every subsequent offence Rs 50 But as a general rule the fine for the first offence is fixed at a higher amount and for the subsequent offences at a lower rate-

3 The Law Section may be consulted

Rom
9/x/36

A | 4 It is also for consideration if the Supdt, Govt Gardens may not also be consulted in the matter

[illegible]
9 x 36

5 The bye-laws are in order

A- May be done

/

10/10/36

Ch Secry)

6 I agree Please consult 26 (1) & (2)

11/10

12/10/36

CH ... LIBRARY
10 OCT 1936

By laws for regulating Municipal gardens & parks in Bangalore city

M.C. File No 63 1634/L 1634/J of 1936

General and Revenue Secretariat

Serial No

Two drafts submitted for approval

Rmr 13/x/36 for A

8 ~~~ 13/10/36

TYPING SECTION 1 OCT 1936

The Superintendent, Govt Gardens 18

No L 3125 dated 22-10-36

Fds the by laws for his remarks

The M.C. Commr, Bangalore city 19

No L 3126 dated 22-10-36

Requests him to obtain & forward the views of the Municipal council on the points raised therein.

✓

Sm A 6/11/36

Letter No 1706 dated 5-2-37 from the Supdt, Govt Gardens furnishing his opinion on the proposed by laws

9 The Supdt G.G. is of the opinion that the by laws should be made general so as to cover the parks, gardens and Squares controlled by Municipalities, Dt Boards and Govt Institutions in the State including Govt Parks and Gardens in the cities of Bangalore and Mysore. This suggestion will have perhaps to be considered separately after the by laws are approved

10 The opinion of the Bangalore city M.C. Cl on the points noted in para 2 supra may be awaited for the present

~~347~~ ~~p 638~~

[7] By laws for regulating the gardens and parks in Bangalore city,

1634 / 3683 / 762

General and Revenue Secretariat | The File No 63 / of 1936 | [App F III—2

Serial No

11 Submitted for orders with reference to paras 5 & 6 [illegible] A reminder will be issued [illegible] to the Municipal Council in the matter

Rmr [illegible] 6/2/37

[illegible] 8/2/37

[illegible]

13) Draft reminder is submitted [illegible]

Rmr 8/2/37 [illegible] 9/2/37

[illegible] 5884 dated 11-2-37

From the Municipal Commr, Bangalore City [illegible] No C1. 831/37-38 [illegible] 8-38 a draft

forwards for approval a modified Bylaws regulating the use of Parks & gardens etc,

15) Provision has been made for prohibiting the bathing, washing of clothes etc (vide Bylaw No 26)

16) In Bylaw No 27, no provision has been made for punishment for the continuance of the offence [illegible] with ref to para 6

17) The Law section may perhaps be consulted

6/9/38 [illegible]

18) In favour of scrutiny of the Bye laws ~~[illegible]~~ and remarks

2 8/9/38

Asst Secy Law N C)

19) It is somewhat strange ~~that the~~ no inhabitant of ~~the~~ Bangalore City has come forward

FILED 1937

Sri A 11/2

39 Law [illegible] 88

NOTE—Contn Sheet

W D 0417—CPL—80 000—8 9 36

Bylaws re-parks & gardens — Bangalore City

File No | of 193 | General and Revenue Secretariat

Serial No

with any objection to the proposed bye laws, an objection raised have been urged by the Secretary of the Civil Liberties Union, Mysore City

20) Re bye law 3 It is a matter for consideration whether it is desirable to set apart a portion of a park generally for public meetings and whether it is not desirable that no meeting shall be held in any park without the previous permission of the Pl Commr.

21) The bye-laws seem to be otherwise all right.

BKR
30.8.38

Asst Secy
L S G Br
WC

22) It is also subd that the effect of bylaw no 25 which provides for a kind of appeal - as it were - against the orders of the Pl Commr to the Pl Ct would be to render the operation of the authority of the Pl Commr null & void. It appears to be inexpedient to allow its retention in the bylaws

Bylaws relating to Parks, gardens and squares in Bangalore

76/

General and Revenue Secretariat | File No 76 of 193 | [App F III-2

Serial No

23) Subd for orders if the bylaws may be approved, with the modifications proposed above in paras 20 and 22 -

Secry L & G)

31/8/38

31/8

24) 31 8 38

II member)

OFFICE OF SECOND MEMBER OF COUNCIL
31 AUG 1938
N 1528

25) Are there any provisions similar to ~~Rules~~ Bye laws 3 and 25 in the Bye laws of the Madras corporation ~~from~~ on which these draft bye laws are said to have been modelled

26) Bye law 25 - Is this inconsistent with section 245 + 246(9) of the Act. Is such control by the Municipal council over the acts of the Commissioner provided for in any other Bye laws of the Bangalore Municipal council)

5/9/38

6 9 38

6/9

[illegible]

27) Kind reference is invited to the Madras Corporations bylaws on the subject (Flags H & Y) There are no

NOTE—Contn Sheet

Bylaws re Parks & gardens 62/Fin Blore city
1704/β 38

File No of 1938-39

General and Revenue Secretariat

Serial No

bylaws therein which correspond to bylaws nos 3 & 25 now framed by the Blore city Mty.

98) Bylaw no 25 does not seem to be inconsistent with the provisions of secs 245 & 246 of the city Mty Act, 1933 There are no other bylaws of the Blore city Mty in which such Control over the acts of the M Comr has been specifically provided for But it seems that, even without such specifications, the MCC is empowered to have control under the above sections over the actions of the M Comr The Law section may be consulted further on this point

1/9/38

99) For favour of remarks
2/10/9

Asst Secy Law
WC)

80
Law
BKR
1.9

30) Bye law 25, does not appear to be inconsistent with the provisions in Section 245 and 246 Reference is also invited to Section 22 (2) of the Act

BKR
1.9

Asst Secy
LSG Br
WC)

Byelaws re gardens, Parks etc in [illegible]
262 [illegible] 7

General and Revenue
Secretariat

[illegible] File No 63 of 1936-37 [App I III—2

E OND Ir
22 SEP 1938
No. 2194

Serial No

31) Subd for orders with refce to paras 25 & 26 supra

for Secy (L S G)
19 9 38

2/19/9

32) I beg to differ from the view expressed in paras 27 to 30 above

33) Under sec 22(2), the executive power for the purpose of carrying out the provisions of the Regn vests in the Mcl Comsnr subject to the ~~control~~ approval or sanction of the Mcl cl, wherever it is in the Regn expressly so directed

34) Section 245 defines the powers of the Mc, & limitations thereon are provided by the provisos (a) to (d) of the Section. ~~Art~~ Byelaw 25 ~~of the~~ does not fall under any one of the provisos. The Mcl cl cannot interfere with the Executive power of the Mc which is conferred on him by sec 22(2) of the statute unless approval or sanction of the Mcl cl is expressly directed in the Regn. I submit that such approval or sanction cannot be imposed by a byelaw, as it would be inconsistent with the Regulation

20/9/38

To member)

35) To speak me
24/9/38
27 9 38

NOTE—Contn Sheet

WD 0044—GPB—30 000—2 9 83

Byelaws re Parks & Gardens

762
2

File No 63 of 1937-38

General and Revenue Secretariat

36) Draft letter to the Commissioner is submitted for consideration

14 10 38

II member)

SECOND MEMBER
14 OCT 1938
N 2679

37) The Govt Advocate may be consulted as to whether Bye law 25 is in order

25/10/38

38) Forwarded with compliments to the Government Advocate for favour of his opinion

Secy to Govt
L S G
25 10 38

Too 333/38-39
d/ 25 10 38

Returned with compliments

39) My opinion is enclosed in the sealed cover - sent herewith

Government Advocate

H/30 11 38

No 37
38-39
d/ 1 12 38
with one sealed cover

1 12 38

II member)

SECY LOCAL SELF GOVT
1 1938
GOVT OF

1938
4407

Bye-laws for regulating the use of municipal parks and gardens in Bangalore city -

General and Revenue Secretariat ML File No 63 762/L of 1936 [App F III—2

Serial No

40) I think Rule 3 may stand. Rule 25 must be deleted as being ultra vires as held by the Govt Advocate. With the deletion of this rule, the rules may be approved.

25

KCa 2/12/38

Dewan)

3 12 38

DEWAN'S OFFICE
DEC 1938
3975

41 MS
3-12-38

KCa
5/12

5-12-38

In VII

42 Submit with a draft G.O. for approval.
5 12 38
Secy L & SG)

8/12

TYPIST
8 DEC 19

Genl File No 63 of 1936

General and Revenue Secretariat

107

To

The Genl Commr Bangalore
The Supdt Govt Gardens
The D C Bangalore Dist
No L 4472-74 dt 14 12 38
Approves the bye-laws as appended

✓ B

12

1634

City Municipal Office,

Bangalore, dated ~~3rd~~ 5 October 1936

No C,-831/36-37
Enc three

From

M Seshadri Esq M A
Municipal Commissioner
Bangalore City

GEN & REV SECn
7 OCT 1936

Ml 63-36-13

CHIEF SECRETARY
6 OCT 1936
6/10/36

To

B T Kesavaiengar, Esq , B A ,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore
Bangalore

Sir,

I have the honour to state that the Municipal By-law Committee framed by-laws under Section 51(1)(y) of the Mysore City Municipalities Regulation of 1933 for regulating the use of parks, gardens or squares in the City of Bangalore

The By-laws were approved by the Municipal Council at their meeting held on 13th June 1936 The draft By-laws were published in the Daily Post dated 15-7-1936, Navajivana dated 17-7-1936, and Al-Kalam dated 21-7-1936

No objections were received in this behalf and the Counci at their meeting held on 17th September 1936 resolved that Government be requested to approve of the By-laws

A copy of the By-laws and the Notification dated 14th July 1936 calling for objections as well as copies of the resolutions of the Council dated 13th June 1936 and 17th September 1936 are enclosed for favour of perusal

I request that sanction of Government may be obtained to these rules

I have the honour to be,
Sir,
Your most obedient servant,

M Seshadri
Municipal Commissioner

Forwarded with compliments

Honorary President

M M)

3/10

Proceedings of the ordinary General meeting of the City Municipal Council, Bangalore held on Saturday the 13th June 1936 at 12 Noon in the Council Chamber of the City Municipal Office, Bangalore.

Present.

Rao Bahadur B.K. Garudachar.
Hon. President.

Councillors.

1. Mr. R.Venkataswamy
2. " M.H.Hanumanthappa.
3. " B.Yerpappa.
4. " Ramalal Thiwari.
5. " K.S.Kamakshiah Setty.
6. Dr. V.B.L.Narayan.
7. Mr. D.Venkataramanappa.
8. " L.Muniswamappa.
9. " L.Srinivasamurthy.
10. " B.L.Byanna.

Councillors.

11. Mr. C.Hayavadana Rao.
12. " L.P.Somasekhara Rao.
13. " T.S.Raghavachar.
14. " P.Subbaramachetty.
15. " M.Chinnaswamy.
16. " B.S.Nasarulla Sheriff.
17. " S.M.M.Razvi.
18. " Azizu din Lehkri.
19. " J.R. Issac.
20. " S.Yellappa.

Absent.

1. Mr. S.V.Srinivasa Setty.
2. " K.T.Bhashyam Iyengar.
3. " B.S.Shankarappa Setty.
4. " Y.L.Venkataramanappa.
5. Mr. C.Narasinga Rao.
6. " C.K.Garudachar.
7. " S.Sittaramiah.
8. " S.K.Venkataranga Iyengar.
9. Mr. B. Abdur Rahman.

Subject -8 Draft of the by-laws relating to the regulating the use of parks, gardens and squares under Section 51(1)(y) of the City Municipalities Regulation

Resolution - Approved

Sd B K Garudachar
Honorary President

" Copy "

Municipal Commissioner

M M)

No 7.

Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore held on Saturday the 12th September 1936 at 12 Noon in the Council Chamber of the City Municipal Offices, Bangalore.

Present.

Rao Bahadur B.K. Garudachar.
Honorary President.

Councillors:-

1. Mr. R. Venkataswamy.
2. " S.H. Hanumanthappa.
3. " B. Kempanna.
4. " S.V. Srinivasa Setty.
5. " K.T. Bashyam Iyengar.
6. " Ramalal Tiwari.
7. " K.[illegible] Kamakshiah Setty.
8. " B.[illegible] Sankarappa Setty.
9. Dr. V.B.L. Naran.
10. Mr. Y.H. Venkatanarasimhappa.
11. " D. Venkataramanappa.
12. " K. Muniswamappa.
13. " H. Srinivasa Murthy.
14. Mr. C.H. Narasinga Rao.
15. " B.L. Byanna.
16. " C. Jayavadana Rao.
17. " C.K. Garudachar.
18. " M.P. Somasekhara Rao.
19. " T.L. Ramasarma.
20. " S.K. Venkataramaiengar.
21. " T.S. Raghavachar.
22. " P. Subbarama Chetty.
23. " C.[illegible] Kamarulla Shariff.
24. " S.I.A. Razvi.
25. " B. Abdur Rahman.
26. " Azizuddin [illegible].

Absent.

1. Mr. M. Chinnaswamy. 2. Mr J.R. Isaac. 3. Mr. [illegible] Yellappa.

Subject - 20 Office note dated 28th August 1936 stating that no objections were received to the draft by-laws relating to the regulating the use of Parks, Gardens, and Squares under Section 51(1)(y) of the City Municipalities Regulation of 1933

Resolution - May be recommended to Government

Sd B K Garudachar
Honorary President

" Copy "

M Seshadri
Municipal Commissioner

7782
8/10

M L I

City Municipal Office,
Bangalore dated 1st July 1936

Notice

Notice is hereby given to the inhabitants of the Municipality of Bangalore City, that the Municipal Council desires to prescribe the undermentioned By-laws regarding the regulation of the use of Parks, Gardens and squares in the City, under Section 57 (1)(y) of the City Municipalities Regulation

Any inhabitant of the Municipality, objecting to the proposed by-laws, may within one month from the date of this notice send his objections in writing to the undersigned

Sd M Seshadri
Municipal Commissioner

Draft By-laws framed under section 51 (1)(y) of the Mysore City Municipalities Regulation VII of 1933 for regulating the use of parks, gardens or squares in the City of Bangalore vested in the Municipal Council

1 PARKS, GARDENS OR SQUARES, WHEN TO BE KEPT OPEN

Every park, garden or square vested in the Municipal Council shall remain open to the public between such hours as may be notified by the Municipal Commissioner in a notice board to be placed in some conspicious part of the entrance of such park, garden or square

2 PUBLIC ENTERTAINMENTS, CEREMONY OR EXHIBITION

On the occassion of any public entertainment, ceremony or exhibition taking place in such park, garden, or square after permission has been obtained from or given by the Municipal Commissioner in that behalf, such park, garden, or square shall be kept open or closed for such period and upon such terms and conditions as may be considered expedient by the Municipal Commissioner and notified in the manner mentioned in By-law No 1 or by notification in one or more newspapers

3 No public meeting ~~will~~ shall be held in any park, garden or square vested in the Municipality except in such portion thereof as is set apart by the Council for the purpose of such meetings

4 ENTRANCE OR EXIT

No person shall enter or quit such park, garden or square except by a gate or other opening if any, provided for the purpose

5 PROHIBITION AGAINST DEFACING OR DISPLACING NOTICE BOARDS

No person shall deface or displace any board or tablet in such park, garden, or square whereon any notice or by-law of Municipal Council is exhibited

6 PROHIBITION AGAINST BRINGING ANIMALS

No person shall bring into such park, garden or square any animal whatsoever or suffer to remain therein any animal belonging to him or in his charge

7 POSTING BILLS

No person shall, except with the written permission of the Municipal Commissioner, post or affix any bill, placard, or notice in any part of or upon any tree in such park, garden or square

8 PROHIBITION AGAINST REMOVING OR DISTUBBING SOIL Etc ,

No person otherwise than in the discharge of his officia duty as a servant of the Municipality, shall remove or disturb any soil, turf or flower bed or pluck any flower or leaf in such park, garden or square

9 DAMAGING PROPERTY OR THROWING RUBBISH

No person shall destroy, injure, deface, soil or defile any part of any wall, fence, barrier or railing in or encl[illegible]ing such park, garden, or square or any part of any seat, building,

~~monu~~

building, monument, work of art, ornament or decoration, any other structure or erection or any municipal property in such park, garden or square, nor throw or deposit any filth, rubbish or refuse upon any part of such park, garden or square

10 THROWING STONES Etc ,

No person shall throw on or discharge into such park, garden or square any stone or other missile

climbing

11 PROHIBITING THE ~~CLIMING~~ OF A TREE, WALL, Etc ,

No person shall climb any tree, wall, fence, barrier railing or post in or enclosing such park, garden or square

12 GAMES

No game shall be played in such park, garden or square except subject to such conditions as may from time to time be prescribed by the Municipal Commissioner and notified in a notice board placed in some conspicious part of the entrance of such park, garden or square

13 DRINKING

No person shall drink, within such park, garden or square any intoxicating liquor

14 ERECTIONS

Except with the written permission of the Municipal Commissioner, no person shall erect any post, rail, fence, pole tent, booth, stand, building or other structure in such park, garden, or square

15 SALE OF ARTICLES

No person shall except with the written permission of the Municipal Commissioner sell or offer or expose for sale or let to hire or offer or expose for letting to hire any commodity or article in such park, garden or square

16 DRYING OR BLEACHING LINEN

No person shall spread or deposit any linen or other fabric in such park, garden or square, for the purpose of drying or bleaching the same

17 OBSTRUCTING OR DISTURBING SERVANTS ON DUTY AND OTHERS

No person shall wilfully obstruct, distrub, or interrupt any other person in the proper use or enjoyment of such park, garden or square, or wilfully obstruct, disturb or interrupt any officer or servant of the Municipality or any person or servant of any person employed by the Municipality in the execution of his duty

18 Nuisance

No person shall commit a nuisance in such park, garden or square

19 CREATING DISTUBRANCE OR CAUSING ANNOYANCE TO THE PUBLIC

No person shall create a disturbance or cause annoyance to the public in such park, garden or square or use abusive, obscene or profane language

20 PROHIBITING PERSONS SUFFERING FROM LOATHSOME OR INFECTIOUS DISEASES FROM ENTERING

No person who is suffering from any loathsome or infectious disease shall enter such park, garden or square

21 No person shall graze or feed any animal, or suffer any animal to be grazed or fed, on any grass or tree in any public park, garden or square

22 No person shall write, paint, cut or carve or affix anything on any tree in any public park, garden or square

23 No person shall drive any nail or ring or any other similar article into any tree in any public park, garden or square

24 No person shall tether any animal to any tree or fence or post, in or pertaining to any public park, garden or square

25 The exercise by the MUnicipal Commissioner of the powers and functions vested in him under these by-laws shall be subject to the general control and supervision of the Municipal Council

26 Whoever commits a breach of any of the above by-laws shall on conviction be punishable with a fine which may extend to Rs 20/- for the first offence and Rs 50/- for every subsequent offence

"Copy"

M M)

Municipal Commissioner

14

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore ~~17th~~ 22 October 1936

No L 3126
Ml 63-33-17

From

The *Chief Secretary to the Government of His Highness*
the Maharaja of Mysore

To

The Municipal Commissioner
Bangalore City
(through the President)

Sir

With reference to your letter No C1-831/36-37 dated 5th October 1936 forwarding for sanction draft by-laws framed by the Municipal Council under Section 51 (1) (y) of the City Municipalities Regulation 1933 for regulating the use of parks gardens and squares in the Bangalore City vested in the Municipal Council I am directed to observe ~~the~~ that-

1) There is no provision in the by-laws sent for prohibiting the bathing or washing of cloths etc in any tank or pond or other ornamental water storage in parks or gardens and

2) In by-law No 26 the fine for the first offence is Rs 20/- and for every subsequent offence Rs 50/- But as a general rule, the fine for the first offence is fixed at a higher amount and for subsequent offences at a lower rate

and to request you to kindly furnish to Government the views of the Municipal Council on these points at an early date

I have the honor to be
Sir,
Your most obedient servant,

(Fair draft)

For Chief Secretary to Government

Rm

c r 2

Appendix F G—1]

SUBJECT......

18

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat 17

No L 3125/G Bangalore Dated 22nd ~~17th~~ October 1936

From Mul 63-72-18

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Superintendent
Government Gardens Bangalore

Sir

I am directed to forward herewith for favour of remarks if any the draft byelaws in original framed by the Bangalore City Municipal Council under Section 51 (1)(Y) of the -- Mysore City Municipalities Regulation 1933 for regulating the use of parks gardens or squares in the Bangalore City vested in the Municipal Council

The by-laws may kindly be returned with your reply

I have the honor to be
Sir
Your most obedient servant

fair draft)

For Chief Secretary to Govt

cn 2

Rrm

Appendix F G—1]

18

SUBJECT

Draft I

Section Me
File No 63-36
Serial No 18

Diary No of letter replied to

No L 3125/

General and Revenue Secretariat
( )
the *193*

To The Superintendent,
Govt Gardens

Date of issue 22/10/36

Signed by

Sir,

I am directed to forward herewith for favour of ~~your~~ remarks if any, the draft ~~rules~~ bye laws in original framed by the Bangalore City Municipal Council under Section 51(1)(y) of the Mysore City Municipalities Regulation, 1933 for regulating the use of parks, gardens or squares in the Bangalore city vested in the Municipal Council.

The bye laws may kindly be returned with your ~~remarks~~ reply.

I have etc

17/10/36

for Chief Secy to Govt.

List of enclosures

Copied by 17/10

Examined by

Appendix F G—1]

SUBJECT

Draft II

Section ML

File No 63-36

Serial No 19

No L 3126

Diary No of letter replied to

General and Revenue Secretariat

( )

the 193

Date of issue [illegible]/10/38

Signed by

List of enclosures

Copied by 17/10

Examined by

To The Municipal Commissioner,
Bangalore city
(through the Resident)

Sir,

With reference to your letter No C1-831/36-37 dated 5-10-36 forwarding for sanction draft by laws framed by the Municipal Council under Section 51(1)(y) of the City Municipalities Regulation 1933 for regulating the use of parks, gardens & squares in the Bangalore city vested in the Municipal Council, I am directed to ~~state as follows~~ observe that

1) There is no provision ~~for~~ in the by-laws sent for prohibiting the bathing or washing of clothes etc in any tank or pond or other ornamental

water storage ..; parks or gardens ~~and~~

2) In by law No 26, the fine for the first offence is Rs 20 and for every subsequent offence Rs 50 But as a general rule, the fine for the first offence is fixed at a higher amount and for subsequent offences at a lower rate;

~~I am~~ And to request you ~~to~~ kindly ~~to~~ furnish to Govt the views of the Mpl Council on these ~~above~~ points at an early date ~~place the above points before the Municipal council and forward their resolution to Govt early~~

I have etc

13/1/36

For Chief Secy to Govt

Rmr

No 1706
Enc 1

OFFICE OF THE SUPERINTENDENT
GOVT GARDENS IN MYSORE
LAL BAGH BANGALORE

19

Dated 5 - 2 - 1937

3683
2

FROM K Nanjappa, Esq ,
~~M. K. SITARAM CHETTY, Esq~~
Offg Superintendent Government Gardens in Mysore
Bangalore

CHIEF SECRETARY
1097
5 FEB 99
GOVT OF MYSORE

REV SECTY
6 FEB 1937

To
The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore

5/2/37

Sir,

With reference to your letter No L 3125/m L 65-36-18 dated - 23rd October last forwarding for remarks, the Draft Bye-laws in original framed by the Bangalore City Municipal Council under Section 51(1)(y) of the Mysore City Municipalities Regulations 1933 for regularising the use of Parks, Gardens, or Squares in the Bangalore city vested in the Municipal Council, I have the honor to state that, in my opinion, these regulations should be made general so as to suit the Parks, -- Gardens and Squares, controlled by Municipalities, District and Local Boards and Government Institutions in the State including Government Parks and gardens in the Cities of Bangalore and Mysore, instead of restricting them to those vested in the Bangalore City Municipal - Council These Regulations are very necessary to protect public Parks and Gardens in the State from injury and secure the public from -- molestation and annoyance while resorting to such parks and gardens

The Draft Bye-Laws in original is returned herewith 1s

I have the honor to be
Sir
Your most obedient servant,
K Nanjappa 6-2-37
Offg Superintendent
Government Gardens

6/2

WD 0454—GPB—1 000—24-10-35

193

From

M K Sitaram Chetty Esq L Ag
Offg Superintendent
Government Gardens in Mysore
Bangalore

To

Dated

Despatched

Received

General No
No

Enclosure No

~~7~~62 20
L

BANGALORE CITY MUNICIPALITY

MUNICIPAL OFFICES
Bangalore 30-7- 1938

2nd Aug

No C[illegible]8[illegible]/37-38
Eue Seven Three only
3 A 1
From
2/8
3/8

ML 63-36-106

From
S. NARAYANA RAO ESQ M A (HONS)
MUNICIPAL COMMISSIONER
Bangalore City

To
P H Krishna Rao, Esq , M A ,
~~The~~ Secretary to the Government of
His Highness the Maharaja of Mysore
Local Self Government Department
Bangalore

Sir,

Adverting to Chief Secretary's letter No L 3126/Ml, 63-36-19 dated 22nd October 1936 in the matter of draft bye-laws for regulating the use of Parks, gardens, etc , and in continuation of this office letter No Cl 831/36-37, dated 11th June 1938, I have the honour to state that the modified draft bye-laws were published in the local papers, viz , the Daily Post, Visvakarnataka and Al-kalam, calling for objections and an objection was received from the Secretary, Civil Liberties Union, Mysore, stating that clause No 3, relating to the prohibition of holding meetings except in reserved areas, may be deleted as it would infringe upon the rights and civil liberties of the people The modified bye-laws with this objection petition were placed before the Council on 16th July 1938 and it was resolved that the bye-laws might be approved A copy of the resolution, a copy of the modified draft bye-laws, a copy of the notice calling for objections and the objection petition in original are herein enclosed for the information of Government

"K"

I request you to kindly obtain sanction of Government to the Bye-laws

I have the honour to be,
Sir,
Your most obedient servant,

S Narayana Rao

MUNICIPAL COMMISSIONER

Forwarded with compliments

1/8
Honorary President

PSY

Proceeding of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 16th July 1938 at 3 P M in the Council chamber of the City Municipal Office Bangalore.

Present

N Balakrishnaiya, E- , B.A ,LL B ,
Honorary President

Councillors
Messrs
1. R. Venkatasamy.
2. W H Hanumanthappa
3 K T Bhashyam Iyengar
4 D Reraswarasa
5 Ramalal Thiwari
6 K M Naganna
7. B S Sankarappa Setty
8. T K Purushothama Naidu
9 D Venkataramanappa
10 B L Byanna
11.M Munisami
12.K.Shamaraja Iyengar.

Councillors.
Messrs
13 K Gubbiah.
14 C M G idabhar.
15 P M Ramasarma
16 S K Venkataranga Iyengar.
17 M R.Narasimha Iyengar
18 S L Mannaji Rao.
19 O S Nasarulla Sheriff.
20 B Abdur Rahman.
21 Mirza Azeezulla Beig.
22 Dr M Royan
23. Mr.P Murugesham Pillay
24. Sri R Kalyanamma

Absent

Messrs
1. Belur Srinivasa Iyengar
2. S N M Razvi

Messrs
3 C N Narasinga Rao.
4 P Subbarama Chetty

5. Mr M.Krishnaswamy Pillay.

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11 Office Note that the modified bye-laws for regulating the use of Parks, Gardens, etc , were published in the local papers Also resolution of the Civil Liberties Union, ~~Bangalore~~ Mysore, in the matter, with the opinion of the Municipal Commissioner

Mr W H Hanumanthappa xxx speaking on the subject said that the draft bye-laws were like a sugar-coated pill and that it was not desirable to pass them and suggested that the subject be deferred

Mr B L Byanna supporting Mr W H Hanumanthappa said that Government itself had withdrawn a similar bill introduced into the Representative Assembly in this behalf and that it was not desirable to have such bye-laws in this premier Municipality

Messrs D Venkataramanappa, M Muniswami, B Abdur Rahmon, Dr Royan - all opposed the deferring motion of Mr W H Hanumanthappa and said that the clause objected to by the Civil Liberties Union may be omitted and the rest passed

Then the deferring motion of Mr W H Hanumanthappa was put to vote and lost, 4 voting for and 9 against

Mr W.H Hanumanthappa demanded poll and Mr B L Byanna seconded

(next page)

The following voted for -

1 Mr W H Hanumanthappa
2 " B L Byanna
3 " Rameswara Sa
4 " M K Shamaraja Iyengar
5 " R Venkataswami

The following voted against -

1. Mr M R Narasimha Iyengar
2 " C M. Garudachar
3 " S L Mannaji Rao
4 " D Venkataramanappa
5 " B S Shankarappa Setty
6 Dr M Royan
7 Mr B Abdur Rahmon
8 " K Gubbiah
9 " M Muniswami
10 " I K Purushothama Naidu
11 Sri R Kalyanamma

The result of poll was 5 for and 11 against

* substantive original proposition, Tm

Then the original proposition was put to vote and carried 12 voting for and none against

Sd N Balakrishnaiya,
Honorary President

"Copy"

Municipal Commissioner 1/8

Kas 28/7

M SHANKARAIYA B A LL B
LAWYER
Jt. ~~MUNICP~~ } ~~COUNCILLOR.~~ Secretary
Civil Liberties Union
Mysore District

RAILWAY STATION ROAD
MYSORE

Dtd 31st Jan 38
23

No 7

To

The Municipal Commissioner
Bangalore City Municipality
Bangalore

Sir

I have the honour to forward herewith the Resolution of the Executive Committee of the above union passed in its meeting held on 27 / 38, after considering the notification from your office in Kannada daily 'Viswakarnataka dated 10-1-1938

Resolution

Read the notification of the Municipal Commissioner, Bangalore City Municipality Bangalore in the Kannada daily newspaper 'Viswakarnataka' D 10 / 38

Resolved that Bye-law No 3

— ——

of the notification, prohibiting public meetings in Municipal parks and gardens, except in allotted areas, without permission of the Municipal Commissioner, be deleted as it is an infringement upon the civil liberties of the people"

Thanking you

I beg to remain

Yours faithfully

M Shankaraiah

Secretary.

CD BY POST
CITY MU
BANGALORE
2 FEB 193

No 6025

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read Extra

Correspondence ending with letter No C.1 331/37-33, dated the 2nd August 1933 from the Municipal Commissioner, Bangalore City, submitting for sanction the draft by-laws framed under Section 51(1)(y) of the Mysore City Municipalities Act, 1933, for regulating the use of Municipal Parks, Gardens or squares in Bangalore City and stating that the said by-laws were duly published calling for objections and that the objections which were received in this behalf were also duly considered

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Order No L 4872-74/ ML 63-36-107

Bangalore, dated the 19th December 1933.

The by-laws are approved as appended to this order.

For Secretary to Government,
for Local Self Govt Department

To

The Municipal Commissioner, Bangalore City through the
President, City Municipal Council, Bangalore
" Superintendent, Government Gardens.
" Deputy Commissioner, Bangalore District

TR 5

By-laws framed under Section 51(1)(y) of the Mysore City Municipalities Act, VII of 1933 for regulating the use of parks, gardens and squares in the City of Bangalore, vested in the Municipal Council.

****

1. PARKS, GARDENS OR SQUARES, WHEN TO BE KEPT OPEN.

Every park, garden or square vested in the Municipal Council shall remain open to the public between such hours as may be notified by the Municipal Commissioner on a notice board to be placed in some conspicuous part of the entrance to such park, garden or square.

2. PUBLIC ENTERTAINMENTS, CEREMONY OR EXHIBITION

On the occasion of any public entertainment, ceremony or exhibition taking place in such a park, garden or square, after permission has been obtained from or given by the Municipal Commissioner in that behalf, such park, garden or square shall be kept open or closed for such period and upon such terms and conditions as may be considered expedient by the Municipal Commissioner and notified in the manner mentioned in By-law No.1 or by notification in one or more newspapers. This shall not apply to meetings that come under by-law 3.

3. No public meeting shall be held in any park, garden or square vested in the Municipality except in such portion thereof as is set apart by the Council for the purpose of such meetings, and in any park, garden or square when any such portion is not so set apart, no public meeting shall be held without the permission of the Municipal Commissioner.

4. ENTRANCE OR EXIT.

No person shall enter or quit such park, garden or square except by a gate or other opening, if any, provided

10. THROWING STONES ETC.

No person shall throw on, or discharge into such park, garden or square any stone or other missile.

11. PROHIBITING THE CLIMBING OF A TREE, WALL, ETC.

No person shall climb any tree, wall, fence, barrier, railing or post in or enclosing such park, garden or square.

12. GAMES.

No game shall be played in such park, garden or square except subject to such conditions as may from time to time be prescribed by the Municipal Commissioner and notified on a notice board placed in some conspicuous part of the entrance of such park, garden or square.

13. DRINKING.

No person shall drink, within such park, garden or square, any intoxicating liquor.

14. ERECTIONS.

Except with the written permission of the Municipal Commissioner no person shall erect any post, rail, fence, pole tent, booth, stand, building or other structure in such park, garden or square.

15. SALE OF ARTICLES.

No person shall, except with the written permission of the Municipal Commissioner, sell or offer or expose for sale or let to hire or offer or expose for letting to hire any commodity or article in such park, garden or square.

16. DRYING OR BLEACHING LINEN

No person shall spread or deposit any linen or other fabric in such park, garden or square, for the purpose of

of drying or ~~kkxxxing~~ bleaching the same.

17. OBSTRUCTING OR DISTURBING SERVANTS ON DUTY AND OTHERS

No person shall wilfully obstruct, disturb, or interrupt any other person in the proper use or enjoyment of such park, garden or square, or wilfully obstruct, disturb or interrupt any officer or servant of the Municipality or any person or servant of any person employed by the Municipality in the execution of his duty.

18. NUISANCE

No person shall commit nuisance in such park, garden or square.

19. CREATING DISTURBANCE OR CAUSING ANNOYANCE TO THE PUBLIC.

No person shall create a disturbance or cause annoyance to the public in such park, garden or square or use abusive, obscene or profane language.

20. PROHIBITING PERSONS SUFFERING FROM LOATHSOME OR INFECTIOUS DISEASES FROM ENTERING.

No person who is suffering from any loathsome or infectious disease shall enter such park, garden or square.

21. No person shall graze or feed any animal, or suffer any animal to be grazed or fed on any grass or tree in any public park, garden or square.

22. No person shall write, paint, cut or ~~cut of~~ carve or affix anything on any tree in any public park, garden or square.

23. No person shall drive any nail or ring or any other similar article into any tree in any public park, garden or square.

24. No person shall tether any animal to any tree or fenc or post, in or pertaining to, any public park, garden or square.

25. No person shall bathe or wash clothes in any tank, pond or ornamental water-storage in parks or gardens where a notice to that effect is put up by the Municipality.

26. Whoever commits a breach of any of the above by-laws shall, on conviction, before a Magistrate be puhishable with a fine which may extend to Rs. 20/-.

Secretary to Government,
Local Self Govt. Department.

G R S App F VI—G 2]

SUBJECT

ca

Diary No of letter replied to

General and Revenue Secretariat

( )

the 193

5 copies

Section Ml

File No 63-36

Serial No 107

Proceedings of the Government of
*His Highness the **Maharaja** of Mysore*

Date of issue 14-12-1938

Signed by M M S H

Read— Correspondence ending with letter no C1-831/37-38 dated the 2nd August 1938 from the Municipal Commissioner, Bangalore city, submitting for sanction the draft bylaws framed under sec 57 (1) (y) of the Mysore city Municipalities Act, 1933, for regulating the use of municipal parks, gardens or squares in B'lore city and stating that the said bylaws were duly published calling for objections & that the objections which were

Order thereon.—No

May this be—

- (i) printed ?
- (ii) treated as a standing order ?
- (iii) published in the Gazette English Part ?
- (iv) translated ?
- (v) placed at the disposal of the press ?
- (vi) published in the Gazette Kannada Part ?

Issue 10/12 5

Give 5 copies

received in this behalf was also duly considered the order no:— L4872-74 The bylaws are approved as appended to this order

Secy to Govt
6/14 for [illegible]

To
the Hill Comr Shillong thro the President
in Supdt Govt Gardens Shillong
D.C. Shillong Distt

List of Enclosure

Copied by

Examined by

33

City Municipal Offices,
Bangalore dated 3 January 1936

Notice

Notice is hereby given to the inhabitants of the Municipality of Bangalore City that the Municipal Council desire to promulgate under Section 51(1)(y) of the Mysore City Municipalities Regulation VII of 1933, the by-laws appended, for regulating the use of parks, gardens and squares vested in the Municipal Council

Any inhabitant of the Municipality, objecting to the proposed by-laws, may, within one month from the date of this notice, send his objections in writing to the undersigned

(Sd) S Narayana Rao
Municipal Commissioner

By-laws framed under Section 51(1)(y) of the Mysore City Municipalities ~~Regulation~~ Act VII of 1933 for regulating the ~~xx~~ use of parks, gardens and squares in the City of Bangalore, vested in the Municipal Council

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1 PARKS, GARDENS OR SQUARES, WHEN TO BE KEPT OPEN

Every park, garden or square vested in the Municipal Council shall remain open to the public between such hours as may be notified by the Municipal Commissioner ~~in~~ on a notice board to be placed in some conspicuous part of the entrance ~~of~~ to such park, garden or square

2 PUBLIC ENTERTAINMENTS, CEREMONY OR EXHIBITION

On the occasion of any public entertainment, ceremony or exhibition taking place in such a park, garden or square, after permission has been obtained from or given by the Municipal Commissio in that behalf, such park, garden or square shall be kept open or closed for such period and upon such terms and conditions as may be considered expedient by the Municipal Commissioner and notified in the manner mentioned in By-law No 1 or by notification in one or more local newspapers This by-law shall not apply to meetings th[illegible] under ~~Rule~~ By-law 3

3 No public meeting shall be held in any park, garden or square vested in the Municipality except in such portion thereof as is set apart by the Council for the purpose of such meetings, and in any park, garden or square when any such portion is not so set apart, no public meeting shall be held without the permission of the Municipal Commissioner

4 ENTRANCE OR EXIT

No person shall enter or quit such park, garden or square except by a gate or other opening, if any, provided for the purpose

5 PROHIBITION AGAINST DEFACING OR DISPLACING NOTICE BOARDS

No person shall deface or displace any board or tablet in such park, garden or square whereon any notice or by-law of the Municipal Council is exhibited

6 PROHIBITION AGAINST BRINGING ANIMALS

No person shall bring into such park, garden or square any animal whatsoever or suffer to remain therein any animal belonging to him or in his charge

7 POSTING Hand BILLS

No person shall, except with the written permission of the Municipal Commissioner, post or affix any bill, placard or notice in any part of, or upon any tree, in such park, garden or square

8 PROHIBITION AGAINST REMOVING OR DISTURBING SOIL ETC .

No person otherwise than in the discharge of his official duty as a servant of the Municipality, shall remove or disturb any soil, turf or flower bed or pluck any flower or leaf in such park, garden or square

9 DAMAGING PROPERTY OR THROWING RUBBISH

No person shall destroy, injure, deface, soil or defile any part of any wall, fence, barrier or railing in or enclosing such park, garden, or square or any part of any seat, building, monument work of art, ornament or decoration or any other structure or erection or any municipal property in such park, garden or square, nor throw or deposit any filth, rubbish or refuse upon any part of such park, garden or square.

10 THROWING STONES ETC ,

No person shall throw on, or discharge into, such park, garden or square any stone or other missile

11 PROHIBITING THE CLIMBING OF A TREE, WALL, ETC .

No person shall climb any tree, wall, fence, barrier, railing or post in or enclosing such park, garden or square

12 GAMES

No game shall be played in such park, garden or square except subject to such conditions as may from time to time be prescribed by the Municipal Commissioner and notified ~~in~~ on a notice board placed in some conspicuous part of the entrance of such park, garden or square

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36

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23 No person shall drive any nail or ring or any other similar article into any tree in any public park, garden or square

24 No person shall tether any animal to any tree or fence or post, in or pertaining to any public park, garden or square.

8 25 The exercise by the Municipal Commissioner of the powers and functions vested in him under these by-laws shall be subject to the general control and supervision of the Municipal Council

2~~6~~5 No person shall bathe or wash clothes in any tank, pond or ornamental water -storage in parks or gardens where a notice to that effect is put up by the Municipality

~~27~~ 26 Whoever commits a breach of any of the above by-laws shall, on conviction before magistrate, be punishable with a fine which may extend to Rs 20/- ~~and for a further fine of Rs 5/- for every day on which the breach continues~~

*****

"COPY"

SRB

Municipal Commissioner

1/8

2 Nov
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